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DECISION**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-204599.2

DATE October 30, 1981

MATTER OF: IPS Computer Marketing Corp.

DIGEST:

Protester filed protest but failed to state any specific grounds for protest. GAO requested detailed statement of specific grounds of protest within 5 working days of receipt of GAO request but statement was furnished 19 working days after protest was filed. Since protester's detailed statement indicated that protester knew specific grounds of protest prior to filing protest, the protest is dismissed.

By letter dated August 31, 1981, filed with our Office on September 1, 1981, IPS Computer Marketing Corporation (IPS) protested against award of a contract under solicitation No. DAHCO6-81-B-0009 issued by the United States Army Computer Systems Command, Fort Belvoir, Virginia. IPS alleged that its low bid was disqualified on a "technicality" but did not indicate what the technicality was.

By letter of September 4, 1981, we requested that IPS furnish additional details of the specific grounds of its protest within 5 working days after receipt of our letter, as provided in section 21.2(d) of our Bid Protest Procedures (4 C.F.R. part 21 (1981)). Before receiving any response from IPS, we informed IPS, by letter of September 17, 1981, that we were closing our file on its protest because of IPS's failure to furnish the specific grounds of its protest as we had requested in our September 4, 1981, letter. By letter dated September 24, 1981, filed with our Office on September 28, 1981, IPS provided us with the specific reasons why its bid was disqualified by the Army.

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IPS's letter of September 24, 1981, stated that IPS was notified by the contracting officer that its bid was the low bid by \$10,000 but that the bid had been rejected as being nonresponsive because IPS included the following words with it:

"Price does not include state or local taxes or Floppy Disks."

IPS's September 24, 1981, letter indicated that the contracting officer had informed IPS prior to the protest of the exact reasons why its bid was rejected. However, IPS did not furnish us with a detailed statement of these reasons until 19 working days after filing its protest with this Office. We see no reason why IPS could not have prepared a brief written statement within the 5 working days allowed by our procedures detailing the specific reasons why its bid was rejected. Therefore, we believe our action closing the file was proper. See Manalytics, Inc., B-193359, December 26, 1978, 78-2 CPD 435.

The protest is dismissed.

We point out, however, that the exclusion of taxes from a bid renders the bid nonresponsive. See NASCO Products Company - Reconsideration, B-192116, February 16, 1979, 79-1 CPD 116.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel